

**ERIE COUNTY LEGISLATURE
MEETING NO. 9
MAY 11, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Hardwick, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Miller-Williams.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 8 from 2017. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Honoring Tucker Thomas Reynolds on Attaining the Rank of Eagle Scout.

Item 6 – MS. DIXON presented a resolution Honoring St. Anthony's Roman Catholic Parish Celebrating Their 100th Anniversary.

Item 7 – MS. DIXON presented a resolution Honoring the 70th Anniversary of the American Legion Matthew Glab Post 1477.

Item 8 – MR. HARDWICK presented a resolution Congratulating Sue Marston on Being Awarded the Community Service Award for 2016 by the Grand Island Chamber of Commerce, and Honoring Her for Her Dedication to the Town of Grand Island Community.

Item 9 – MR. HARDWICK presented a resolution Congratulating Cindy Wynne on Being Recognized as the 2016 Educator of the Year by the Grand Island Chamber of Commerce, and Honoring Her for Her Dedication to the Town of Grand Island Community.

Item 10 – MR. HARDWICK presented a resolution Congratulating Dana Carver and Dana's Stylin Pets on Being Named the 2016 Business of the Year by the Grand Island Chamber of Commerce.

Item 11 – MR. HARDWICK presented a resolution Congratulating Becky Stufkosky and Lynn Dingey on Being Recognized as the 2016 Leadership Award Winners by the Grand Island Chamber of Commerce, and Honoring Them for Their Dedication to the Town of Grand Island Community.

Item 12 – MR. HARDWICK presented a resolution Congratulating Allyson Nemeth and Jessica Flash on Being Recognized as the 2016 Outstanding Award Winners by the Grand Island Chamber of Commerce, and Honoring Them for Their Dedication to the Town of Grand Island Community.

Item 13 – MR. HARDWICK presented a resolution Congratulating Girl Scouts of Grand Island on Being Recognized as the 2016 Organization of the Year by the Grand Island Chamber of Commerce, and Honoring Them for Their Dedication to the Town of Grand Island Community.

Item 14 – MR. HARDWICK presented a resolution Congratulating Grand Island Soccer Club on Being Recognized as the 2016 Athletic Organization of the Year by the Grand Island Chamber of Commerce, and Honoring Them for Their Dedication to the Town of Grand Island Community.

Item 15 – MR. LORIGO, MR. MILLS, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Proclaiming May 2017 as "Lyme Disease Awareness Month" in Erie County.

Item 16 – MS. MILLER-WILLIAMS presented a resolution Congratulating St. John Baptist Church on the Occasion of its 90th Anniversary.

Item 17 – MR. MILLS presented a resolution Honoring Francis T. Hogenkamp for His Dedicated Service to the Community of Orchard Park.

Item 18 – MR. MILLS presented a resolution Honoring Eugene Majchrzak as the 2017 Orchard Park Republican of the Year.

Item 19 – MR. MORTON presented a resolution Honoring Fred Blowers for Being Named the 2017 Distinguished Citizen by the Alden Chamber of Commerce.

Item 20 – MR. RATH presented a resolution Congratulating Richard Christian Hamilton, Boy Scout Troop 440, on Attaining the Rank of Eagle Scout.

Item 21 – MR. RATH presented a resolution Congratulating Nathaniel Maximilian Sass, Boy Scout Troop 440, on Attaining the Rank of Eagle Scout.

Item 22 – MR. RATH presented a resolution Congratulating Charles Christian Rottner, Boy Scout Troop 440, on Attaining the Rank of Eagle Scout.

Item 23 – MR. RATH presented a resolution Congratulating Joseph Stanley Smyczynski, Boy Scout Troop 440, on Attaining the Rank of Eagle Scout.

Item 24 – MR. RATH presented a resolution Congratulating Ethan Uzarowski, Boy Scout Troop 440, on Attaining the Rank of Eagle Scout.

MR. LORIGO moved for consideration of the above twenty items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above twenty items to include one miscellaneous resolution from MS. GRANT, one miscellaneous resolution from MR. RATH, and to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above twenty-two items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 25 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 31 – CHAIR MILLS directed that Local Law No. 3 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 32 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 33 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 34 – CHAIR MILLS directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 35 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 36 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 37 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 38 – CHAIR MILLS directed that Local Law No. 9 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 39 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 40 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 91

May 4, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS LORIGO & GRANT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 8E-21 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, assisting law enforcement reduce the supply of deadly narcotics related to the opioid epidemic is an important public health objective; and

WHEREAS, knowing the chemical composition of narcotics leading to overdose fatalities is valuable intelligence for federal law enforcement; and

WHEREAS, the Erie County Medical Examiner's Office is home to one of the top toxicology labs in New York State; and

WHEREAS, information gathered by the Erie County Medical Examiner's office has been critical in tracking the flow of synthetic fentanyl products through the northeast; and

WHEREAS, federal law enforcement officials are supportive of the continued collaboration with the Erie County Department of Health; and

WHEREAS, this grant from the New York-New Jersey High Intensity Drug Trafficking Area ("NY-NJ HIDTA") will provide equipment and supplies worth approximately \$10,000 and requires no local funding and has no reporting requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Department of Health to enter into an agreement with NY-NJ HIDTA for custody and use of toxicological testing equipment and supplies; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Division of Budget and Management, and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building
(4-0)

2. COMM. 8E-22 (2017)

COUNTY EXECUTIVE

WHEREAS, starting in 2017, Medical Examiners in New York State are required to input an array of data from violent deaths into a state-wide database; and

WHEREAS, with a clearer picture of why violent deaths occur the New York State Department of Health aims to more effectively identify those at risk and provide preventive services; and

WHEREAS, New York was recently funded by the Centers for Disease Control & Prevention to collect information on violent deaths occurring in New York State; and

WHEREAS, the purpose of this funding is to improve the planning, implementation and evaluation of violence prevention programs and develop strategies to save lives; and

WHEREAS, the Erie County Department of Health - Division of the Medical Examiner will be required to expend a significant amount of staff time to comply with this NYS reporting requirement; and

WHEREAS, in recognition of the additional staff time needed to accomplish this task New York State Department of Health has allocated funding to Erie County Department of Health; and

WHEREAS, this grant in the amount of \$10,000 requires no local funding and has no reporting requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to receive a grant award from the NYSDOH in the amount of \$10,000 to be budgeted as follows:

Division of Medical Examiner
Fund Center: 12740

SAP	REVENUE	BUDGET
409000	State Aid Revenues	<u>\$10,000</u>
	TOTAL	<u>\$10,000</u>
	EXPENSE	
501000	Overtime	<u>\$10,000</u>
	TOTAL	<u>\$10,000</u>

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Division of Budget and Management, and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building (4-0)

3. COMM. 8E-23 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services continually reviews potential locations to expand the Stay Fit Dining program throughout Erie County; and

WHEREAS, there is a need to provide healthy dining opportunities for elderly residents of Erie County, especially in rural areas; and

WHEREAS, the Town of Elma, desires to operate a dining site as part of the Department's Stay Fit Dining program to serve needful seniors in their community; and

WHEREAS, the Department of Senior Services recommends that a new Congregate Dining site, the Town of Elma located at 3007 Bowen Road, Elma, New York 14059 be added to the Stay Fit Dining Program to serve needful seniors; and

WHEREAS, the Department of Senior Services desires to contract with the sponsor, the Town of Elma, to begin serving meals after the effective date of this resolution; and

WHEREAS, that the County Executive is authorized to execute contracts for Department of Senior Services Congregate Dining sites with this agency, with this contract remaining in effect until terminated by either the county or the agency (evergreen); and

WHEREAS, the Department has sufficient funds available to cover the clean-up and meal costs of the new dining site in the 163IIIC-12017 grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to contract with the Town of Elma to operate a Congregate Dining site for the period after the effective date of this resolution which shall remain in effect until terminated by either the county or the agency (evergreen); and be it further

RESOLVED, that clean-up costs of the new dining site be paid from the available aggregate appropriations Professional Services Contracts Fees account #516020 and meal costs from available funds in provider Meals on Wheel's account #517697 all within the 163III-C-12017 grant; and be it further

RESOLVED, that the Congregate Dining site contracts shall be subject to annual budgetary appropriation as approved by this Body; and be it further

RESOLVED, and if necessary the County Executive is hereby authorized to execute amendments to Senior Services agencies contracts to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive's Office, Division of Budget and Management, Comptroller's Office, Department of Law and Department of Senior Services.

(4-0)

4. COMM. 8E-24 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature approved the Department of Senior Services to contract with the Center for Inclusive Design and Environmental Access (IDeA Center) through UB Foundation Activities, Inc., on November 3, 2016 in Comm. 20E-15 (2016); and

WHEREAS, after creating the contract and seeking approval from the County Attorney's office it was found that the contract agency name should actually be The Research Foundation for the State University of New York; and

WHEREAS, there is a need for a technical correction for Senior Services to be able to contract with the agency named The Research Foundation for the State University of New York in place of the affiliate agency named the Center for Inclusive Design and Environmental Access (IDeA Center) through UB Foundation Activities, Inc.; and

WHEREAS, no additional county funds are required as appropriations are available in the 163AFIP1617 grant's Professional Services and Fees account (#516020) as approved in Comm. 20E-15 (2016); and

WHEREAS, the 163AFIP1617 grantor, the Health Foundation of Western and Central New York has agreed to extend the grant for two months until May 31, 2017, to allow time for the IDeA Center to complete its work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with agency named The Research Foundation for the State University of New York in place of the previously named the Center for Inclusive Design and Environmental Access (IDeA Center) through UB Foundation Activities, Inc. in Comm. 20E-15 (2016); and be it further

RESOLVED, that the contract is funded out of the 163AFIP1617 grant's Professional Services and Fees account (#516020); and be it further

RESOLVED, that the grant and contract be extended through May 31, 2017, as agreed upon by the grantor the Health Foundation of Western and Central New York; and be it further

RESOLVED, and if necessary the County Executive be and is hereby authorized to amend the contract with The Research Foundation for the State University of New York to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive's Office, Division of Budget and Management, Comptroller's Office, County Attorney's Office and Department of Senior Services.

(4-0)

5. COMM. 8E-29 (2017)

COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Summer Youth Employment Program (SYEP) is an important platform to introduce low income youth into the workforce, helping them to acquire skills that can be used to improve school performance and become responsible adults; and

WHEREAS, New York State Office of Temporary and Disability Assistance will be allocating funds to each Social Services District (SSD) to provide summer employment opportunities for youth throughout the State; and

WHEREAS, ECDSS decided to choose the provider of the SYEP for the 2017 program through a competitive Request-for-Proposal (RFP) process in order to provide the best program to the program participants; and

WHEREAS, ECDSS issued the SYEP RFP on March 17, 2017, with proposals due on April 13, 2017; and

WHEREAS, ECDSS recommends awarding the contract to the sole appropriate proposal submitted which is a joint proposal from the Buffalo Urban League and Catholic Charities; and

WHEREAS, the Buffalo Urban League will administer the contract and facilitate employment opportunities for youth located within the City of Buffalo, while Catholic Charities will focus on youth employment in the surrounding suburbs and rural areas; and

WHEREAS, ECDSS estimates that the county will receive \$1,400,540 in funding to support the SYEP contract; and

WHEREAS, it is essential that the SYEP contract be established as soon as possible in order to provide sufficient time for the agency to be program ready when the youth have completed school for the summer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the New York State Office of Temporary and Disability Assistance in order to receive funding for the Erie County Summer Youth Employment Program, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Buffalo Urban League for the provision of youth employment opportunities under the State Summer Youth Employment Program, the total amount of the contract being estimated at \$1,400,540 and will be adjusted based on the final State approved allocation, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to increase the appropriation and revenue accounts in the 2017 Budget of the Department of Social Services based on final State SYEP funding allocations, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Social Services, the Office of the Comptroller, the County Executive's Office and the Division of Budget and Management.

(4-0)

LYNNE M. DIXON
CHAIR

Item 41 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92

May 4, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 8E-4 (2017)
COUNTY EXECUTIVE

WHEREAS, the Safety Improvements at the Intersection of Genesee Road (CR 49/409), Route 240 (CR 27/198), and Sibley Road (CR 432), Town of Concord, PIN 5760.99 (the “Project”) is eligible for funding under Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the County of Erie previously advanced the Project by making a commitment of 100% of the Non-Federal share of the costs of the Design via Legislative Communication 8E-5 dated May 12, 2016 in the amount of \$110,000 (\$11,000 in local share); and

WHEREAS, the New York State Department of Transportation has agreed to increase the Project scope and allowance as well as anticipated federal and New York State Marchiselli funds via a Supplemental Agreement No. 1 in the amount of an additional \$115,000, a total of \$225,000, for the Project’s Preliminary Engineering and Right of Way Incidental phases; and

WHEREAS, the Supplemental Agreement No. 1 increases Erie County’s local share from \$11,000 to \$15,000 of which the difference of \$4,000 is available from SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123; and

WHEREAS, the firm of Clark Patterson Lee, after a public RFQ process, has been selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the safety improvements of the above noted Genesee Road (CR 49/409), Route 240 (CR 27/198) and Sibley Road (CR 432) intersection required.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping and Design I-VI) and Right of Way Incidentals phases of the Project or portions thereof in the amount of \$225,000; and be it further

RESOLVED, that the Project SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123, be increased by the anticipated Federal (\$103,500) and New York State Marchiselli (\$7,500) revenue as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405160	NYS Marchiselli	\$ 0	\$ 7,500	\$ 7,500
414000	Federal Aid	\$ 153,000	\$ 103,500	\$ 256,500
475000	Gen Oblig Bond Proc	<u>\$ 400,000</u>	<u>\$ 0</u>	<u>\$ 400,000</u>
TOTAL REVENUES		<u>\$ 553,000</u>	<u>\$ 111,000</u>	<u>\$ 664,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$ 553,000</u>	<u>\$ 111,000</u>	<u>\$ 664,000</u>
TOTAL APPROPRIATIONS		<u>\$ 553,000</u>	<u>\$ 111,000</u>	<u>\$ 664,000</u>

; and be it further

RESOLVED, that the estimated total sum for design engineering of the noted Project phases, \$225,000 is hereby appropriated from SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED that the County Executive be authorized to execute the Supplemental Agreement No. 1 with the NYSDOT and a negotiated Contract between the County of Erie and Clark Patterson Lee as Project Design Engineers in an amount not to exceed \$225,000; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, should the Supplemental Agreement receive additional NYS Marchiselli reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of funds; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.
(5-0)

2. COMM. 8E-5 (2017)

COUNTY EXECUTIVE

WHEREAS, the replacement of the Pontiac Road Bridge over Big Sister Creek, BIN 3327820, PIN 5761.77 is needed due to structural deficiencies; and

WHEREAS, the replacement of Pontiac Road Bridge over Big Sister Creek, BIN 3327820, PIN 5761.77, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance 80% of the reimbursable Federal share and payment of the 20% Non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-IV) and Right of Way Incidentals phases of the Project; and

WHEREAS, the design phases I - IV and incidental right of way phase of the Project, PIN 5761.77, is currently estimated at \$115,000 and the County is required to pay the estimated local share for the Project in the amount of \$23,000 which is available in Project B.15019, Fund Center 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$92,000 in Fund Center 123, Fund 420;

WHEREAS, an amendment to contract document no. 10-961-PW with project designers Foit Albert & Associates of Buffalo, New York will have to be negotiated for the tasks in the Project agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Pontiac Road Bridge over Big Sister Creek, BIN 3327820, PIN 5761.77 Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the preliminary design engineering (Design I-IV) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$115,000; and be it further

RESOLVED, that the Erie County Office of Budget and Finance establish a new capital project B.17xxx in the amount of \$92,000 in Fund Center 123, Fund 420 as shown below

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$ 0	\$ 92,000	\$92,000
TOTAL REVENUES		<u>\$ 0</u>	<u>\$ 92,000</u>	<u>\$92,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$ 0	\$ 92,000	\$92,000
TOTAL APPROPRIATIONS		<u>\$0</u>	<u>\$ 92,000</u>	<u>\$92,000</u>

; and be it further

RESOLVED, that the local share required in the amount of \$23,000 be utilized from Project B.15019, 2015 Capital Overlay Program, fund center 123, fund 420; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-IV, and right of way incidentals phases exceeds the amount appropriated, \$115,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and

State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute the necessary Amendment to Erie County Contract Document No. 10-961-PW with Foit Albert & Associates in connection with the advancement of the Project identified in the State/Local Agreement; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

3. COMM. 8E-6 (2017)

COUNTY EXECUTIVE

WHEREAS, the Cedar Street CR261 Bridge over Ledge Creek, BIN 3326580, needs to be replaced due to structural deficiencies; and

WHEREAS, the replacement of Cedar Street CR261 Bridge over Ledge Creek, BIN 3326580, PIN 5761.78, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance 80% of the reimbursable Federal share and payment of the 20% Non-Federal share of the costs of the preliminary design engineering (Scoping & Design I-IV) and right of way incidentals phases of the Project; and

WHEREAS, the design phases I - IV and incidental right of way phase of the Project, PIN 5761.78, is currently estimated at \$130,000 and the County is required to pay the estimated local share for the Project in the amount of \$26,000 which is available in Project B.15019, Fund Center 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$104,000.00 in Fund Center 123, Fund 420, for the anticipated federal revenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the replacement of Cedar Street CR261 Bridge over Ledge Creek, BIN 3326580, PIN 5761.78; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the preliminary design engineering (I-IV) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$130,000; and be it further

RESOLVED, that the Erie County Office of the Comptroller establish a new capital project B.17xxx in the amount of \$104,000 in Fund Center 123, Fund 420

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$ 0	\$ 104,000	\$ 104,000
TOTAL REVENUES		<u>\$ 0</u>	<u>\$ 104,000</u>	<u>\$ 104,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$ 0</u>	<u>\$ 104,000</u>	<u>\$ 104,000</u>
TOTAL APPROPRIATIONS		<u>\$0</u>	<u>\$ 104,000</u>	<u>\$ 104,000</u>

; and be it further

RESOLVED, that the local share required in the amount of \$26,000 be utilized from Project B.15019, 2015 Capital Overlay Program, fund center 123, fund 420; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-IV, and right of way incidentals phases exceeds the amount appropriated, \$130,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and one copy each to the Office of the County

Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

4. COMM. 8E-7 (2017)

COUNTY EXECUTIVE

WHEREAS, the Safety Improvements at the Intersection of Colvin Boulevard (CR 118) and Brighton Road (CR 196) Intersection, Town of Tonawanda, PIN 5760.97 (the "Project") is eligible for funding under Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the County of Erie previously advanced the Project by making a commitment of 100% of the Non-Federal share of the costs of the Design via Legislative Communication 8E-6 dated May 12, 2016 in the amount of \$60,000 (\$6,000 in local share); and

WHEREAS, the New York State Department of Transportation has agreed to increase the Project scope and allowance as well as anticipated federal and New York State Marchiselli funds via a Supplemental Agreement No. 1 in the amount of an additional \$60,000, a total of \$120,000, for the Project's Preliminary Engineering and Right of Way Incidental phases; and

WHEREAS, the Supplemental Agreement No. 1 increases Erie County's local share from \$6,000 to \$6,600 of which the difference of \$600.00 is available from SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123; and

WHEREAS, the firm of Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, DPC, after a public RFQ process, has been selected as having the necessary expertise, experience, and manpower to provide the County of Erie with design engineering services for the safety improvements of the above noted Colvin Boulevard (CR 118) and Brighton Road (CR 196) intersection required.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Scoping and Design I-VI) and Right of Way Incidentals phases of the Project or portions thereof in the amount of \$120,000; and be it further

RESOLVED, that the Project SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123, be increased by the anticipated Federal (\$54,000) and New York State Marchiselli (\$5,400) revenue as follows:

REVENUES	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
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Account	Description
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405160	NYS Marchiselli	\$ 0	\$ 5,400	\$ 5,400
414000	Federal Aid	\$ 153,000	\$ 54,000	\$ 207,000
475000	Gen Oblig Bond Proc	<u>\$ 400,000</u>	<u>\$ 0</u>	<u>\$ 400,000</u>
TOTAL REVENUES		<u>\$ 553,000</u>	<u>\$ 59,400</u>	<u>\$ 612,400</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$ 553,000</u>	<u>\$ 59,400</u>	<u>\$ 612,400</u>
TOTAL APPROPRIATIONS		<u>\$ 553,000</u>	<u>\$ 59,400</u>	<u>\$ 612,400</u>

; and be it further

RESOLVED, that the estimated total sum for design engineering of the noted Project phases, \$120,000 is hereby appropriated from SAP Project B.15015, 2015 Highway Safety Program, Fund 420, Business Area 123 and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED that the County Executive be authorized to execute the Supplemental Agreement No. 1 with the NYSDOT and a negotiated Contract between the County of Erie and Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, DPC as Project Design Engineers in an amount not to exceed \$120,000; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, should the Supplemental Agreement receive additional NYS Marchiselli reimbursement in the future, the project revenue will be accepted by Erie County and the budget adjusted to reflect the receipt of funds; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.

(5-0)

5. COMM. 8E-8 (2017)

COUNTY EXECUTIVE

WHEREAS, the Elmwood Avenue Pedestrian-Bicycle Improvements Project, PIN 5761.03 (the "Project") is eligible for funding under the Federal Transportation Alternatives Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, the County of Erie has agreed to act as sponsor of the Project at the request of the Village of Kenmore; and

WHEREAS, under the Transportation Alternatives Program the federal cost share is limited to the amount set forth in the agreement with NYSDOT with any additional costs borne 100% by the local sponsor; and

WHEREAS, the County of Erie desires to advance the construction phase of the Project; and

WHEREAS, the Village of Kenmore via an inter-municipal agreement, has agreed to reimburse the County of Erie for the entire local (non-federal) cost share, including 100% of any cost overruns up to a total project local share of \$225,000, including a \$50,000 100% local contribution; and

WHEREAS, NYSDOT supplemental agreement #1 authorized by COMM. 3E-7 (February 23, 2017) increased the total project local share to \$227,000 due to an unanticipated increase in overall project funding, an increase in local share of \$2,000; and

WHEREAS, the Village has provided a letter from the Mayor and a Village Board Resolution agreeing to reimburse the County for the additional \$2,000 in local share; and

WHEREAS, the additional \$2,000 will be added to the inter-municipal agreement by amendment; and

WHEREAS, the project was bid on March 2, 2017 and the low bidder was CATCO with a bid of \$705,825.70; and

WHEREAS, it is desired to award a contract for the construction of the project to CATCO; and

WHEREAS, it is desired to execute a contract with project engineers, DiDonato Associates for Additional Design Services in the amount of \$13,506.20 and for Construction Phase Services for the Project in the amount of \$83,806; and

WHEREAS, it is desired to establish a project contingency in the amount of \$15,368.30 for unanticipated costs or change orders.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the Construction Phase of the Project or portions thereof; and be it further

RESOLVED, that the Other Local Source Revenue and the Capital Project Expense lines for Fund 420, BA 123, B.15077 Elmwood Pedestrian Bike Improvements, PIN 5761.03 each be increased by \$2,000 to reflect the additional \$2,000 local share pledged by the Village; and be it further

RESOLVED, that the County Executive be authorized to award and execute contracts for the Project with responsible low bidder, CATCO in the amount of \$705,825.70 which is hereby appropriated from Fund 420, BA123, SAP B.15077 2015 Elmwood Pedestrian Bike Improvements, PIN 5761.03 and made available to cover the cost of construction of the Project; and be it further

RESOLVED, that the County Executive be authorized to execute a contract with DiDonato Associates for additional design services in the amount of \$13,506.20 which is hereby appropriated from Fund 420, BA 123, B.15077.1 Elmwood Pedestrian-Bike Improvements, PIN 5761.03 and construction phase services in the amount of \$83,806 which is hereby appropriated from Fund 420, BA 123, B.15077.2 2015 Elmwood Pedestrian Bike Improvements, PIN 5761.03 and made available to cover the cost of said services; and be it further

RESOLVED, that the County Executive be authorized to execute contingency agreements and change orders for the Project in the amount of \$15,368.30 which is hereby appropriated from Fund 420, BA 123, B.15077 2015 Elmwood Pedestrian Bike Improvements, PIN 5761.03 and made available to cover the cost of construction of the Project; and be it further

RESOLVED, that three (3) certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

6. **COMM. 8E-9 (2017)**
COUNTY EXECUTIVE

WHEREAS, the replacement of Trevett Road CR420 Bridge over Clear Creek, BIN 3328340, PIN 5762.15, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended,

that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, depending upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the 95% of reimbursable Federal share and payment of the 5% local share the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the design phases I - VI and incidental right of way phase of the Project, PIN 5762.15, is currently estimated at \$190,000 and the County is required to pay the estimated local share for the Project in the amount of \$9,500 which is available from Project B.15019, BA 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$190,000 in BA 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the replacement of Trevett Rd. CR420 Bridge over Clear Creek, BIN 3328340, PIN 5762.15; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the preliminary engineering (Design I-VI) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$190,000; and be it further

RESOLVED, that the Erie County Office of Budget and Finance establish a new capital project in the amount of \$190,000 in BA 123, Fund 420, for the anticipated federal revenue G/L Account 414000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the local share required in the amount of \$9,500.00 from Project B.15019, 2015 Capital Overlay Program, BA 123, fund 240, be made available for the costs of the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-VI, and right of way incidentals phases exceeds the amount appropriated, \$190,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Erie County Comptroller is authorized to pay for the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation; and be it further
(5-0)

7. COMM. 8E-10 (2017)

COUNTY EXECUTIVE

WHEREAS, the replacement of Quaker St. Bridge over Clear Creek, BIN 3328340, PIN 5762.14, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds, depending upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the 95% of reimbursable Federal share and payment of the 5% local share the costs of the Preliminary Engineering (Scoping & Design I-VI) and Right of Way Incidentals phases of the Project; and

WHEREAS, the design phases I - VI and incidental right of way phase of the Project, PIN 5762.14, is currently estimated at \$180,000 and the County is required to pay the estimated local share for the Project in the amount of \$9,000 which is available from Project B.15019, BA 123, Fund 420, 2015 Capital Road Overlay Program; and

WHEREAS, this new project requires a new capital project, established in the amount of \$180,000 in BA 123, Fund 420.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the replacement of Quaker St. Bridge over Clear Creek, BIN 3328340, PIN 5762.14; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the preliminary engineering (Design I-VI) and right-of-way incidentals, phases of the Project or portions thereof in the amount of \$180,000; and be it further

RESOLVED, that the Erie County Comptroller establish a new capital project in the amount of \$180,000 in BA 123, Fund 420, for the anticipated federal revenue G/L Account 414000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that the local share required in the amount of \$9,000.00 from Project B.15019.2, 2015 Capital Overlay Program, BA 123, fund 240, be made available for the costs of the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's design phases I-VI, and right of way incidentals phases exceeds the amount appropriated, \$180,000.00, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the County of Erie, with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid- and State Aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that the Erie County Comptroller is authorized to pay for the project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward six (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.
(5-0)

8. COMM. 8E-11 (2017)

COUNTY EXECUTIVE

WHEREAS, the reconstruction of the Culvert Amsdell Road CR 122 over Drainage Structure, NYS PIN 5762.23 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% of State funds, depending upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the design, construction and construction inspection for Culvert Replacement of Amsdell Road over Drainage Structure Project, PIN 5762.23, through an Agreement with NYSDOT for a total of \$ 525,000 with no required local share; and

WHEREAS, this new project requires a new capital project, established in the amount of \$525,000.00 in Fund Center 123, Fund 420, for the anticipated State revenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves reconstruction of the Culvert Amsdell Road CR 122 over Drainage Structure, NYS PIN 5762.23; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the New York State share of the cost of the Design, Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Erie County Office of Budget and Finance establish a new capital project B.17xxx in the amount of \$525,000 in Business Area 123, Fund 420, for the anticipated State Revenue Account 409000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the States shares of the costs of the Project's design, right of way, construction, and construction inspection Phases exceeds the amount appropriated, \$ 525,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for New York State Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs; and be it further

RESOLVED, that the Erie County comptroller be authorized to pay for the Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.
(5-0)

9. COMM. 8E-12 (2017)
COUNTY EXECUTIVE

WHEREAS, the reconstruction of the Culvert Warner Hill Road over Tributary Cazenovia Creek, NYS PIN 5762.22 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% of State funds, depending upon the Bridge NY Funding Program; and

WHEREAS, the County of Erie desires to advance the design, right of way, construction and construction inspection for Culvert Replacement of Warner Hill Road over Tributary of Cazenovia

Creek Project, PIN 5762.22, through an Agreement with NYSODT for a total of \$ 400,000 with no required local share; and

WHEREAS, this new project requires a new capital project, established in the amount of \$400,000 in BA 123, Fund 420, for the anticipated State revenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the reconstruction of the Culvert Warner Hill Road over Tributary Cazenovia Creek, NYS PIN 5762.22; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the New York State share of the cost of the Design, Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Erie County Office of Budget and Finance establish a new capital project in the amount of \$400,000 in BA 123, Fund 420, for the anticipated state revenue G/L Account 409000 available to cover the cost of participation in the above Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the States shares of the costs of the Project's design, right of way, construction, and construction inspection Phases exceeds the amount appropriated, \$ 400,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for New York State Aid on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs; and be it further

RESOLVED, that the Erie County Comptroller be authorized to pay for the project, and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (6) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation.

(5-0)

TED B. MORTON
VICE-CHAIR
FOR

JOSEPH C. LORIGO
CHAIR

Item 42 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 93

May 4, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-16 (2017)
COUNTY EXECUTIVE: “EC Sewer District No. 3 - Engineer Term Agreement - Work Order AECOM-2”
(5-0)
 - b. COMM. 8M-4 (2017)
THE MENTHOLATUM COMPANY: “Letter in Opposition to LL Intro. 1-1 (2017)”
(5-0)

2. COMM. 7E-9 (2017)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for the Erie County Sewer District No.3, Contract Nos. BVPS #3-A (General/Mechanical) and BVPS #3-D (Electrical) at 10:00 a.m. on April 26, 2017:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. BVPS #3-A General/Mechanical	Nichols, Long & Moore Construction Corp. 770 Riverview Blvd. Tonawanda, NY 14150	\$2,667,000.00
Contract No. BVPS #3-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, NY 14150	\$403,000.00

; and

WHEREAS, the aforementioned lowest responsible bidders are recognized as a reputable contractors capable of completing this project; and

WHEREAS, the Division of Sewerage Management has determined that this project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law; and

WHEREAS, there are adequate cash reserves in Erie County Sewer District No.3 Capital Reserve Account C.00007.

NOW, THEREFORE, BE IT,

RESOLVED, that the Boston Valley Pump Station Improvements, Erie County Sewer District No. 3, Contract Nos. BVPS #3-A (General/Mechanical) and BVPS #3-D (Electrical) be awarded as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount</u>
Contract No. BVPS #3-A General/Mechanical	Nichols, Long & Moore Construction Corp. 770 Riverview Blvd. Tonawanda, NY 14150	\$2,667,000.00
Contract No. BVPS #3-D Electrical	Frey Electric Construction Co. 100 Pearce Avenue Tonawanda, NY 14150	\$403,000.00

; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contracts with the aforementioned lowest responsible bidders, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the County Comptroller is authorized and directed to allocate \$3,070,000.00 from Erie County Sewer District No. 3, Capital Account C.00062 for Contract Nos. BVPS #3-A (General/Mechanical) and BVPS #3-D (Electrical); and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized and directed to transfer \$1,100,000.00 from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Sewer District No. 3 Capital Account C.00062 and establish the budgets necessary to facilitate the transfer; and be it further

RESOLVED, that the Director of Budget and Management and the County Comptroller are authorized to increase estimated revenue and appropriations in Erie County Sewer District No. 3 Capital Account C.00062 by \$1,100,000.00 for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10th floor.

(5-0)

3. COMM. 8E-14 (2017)
COUNTY EXECUTIVE

WHEREAS, household hazardous waste is being generated by residents in Erie County; and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land, and waters of Erie County; and

WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste (HHW) Collection Program since 1988, servicing over 60,000 residents within Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Erie County HHW Program is dependent upon State Aid assistance for partial funding; and

WHEREAS, Erie County deems it to be in the public interest and benefit to file an application for State Aid; and

WHEREAS, it is necessary that a contract by and between the people of the State of New York and Erie County be executed for such State Aid.

NOW, THEREFORE BE IT

RESOLVED, that the filing of an application for State assistance for the Household Hazardous Waste Program in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is directed and authorized to enter into an agreement and sign the resulting contract for partial reimbursement for expenses incurred while conducting the County HHW Program if said application is approved by the State; and be it further

RESOLVED, that Erie County agrees that it will fund the cost of said HHW Program and will be reimbursed by the State for the State share of such costs; and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation (NYSDEC) together with a complete application; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Office of the Comptroller; Thomas J. Dearing, Commissioner of Environment and Planning; Thomas Hersey, Deputy

Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer; the County Comptroller; and the County Attorney.

(5-0)

4. COMM. 8E-15 (2017)

COUNTY EXECUTIVE

WHEREAS, the County of Erie advertised for and received responses to a Request for Proposals to perform professional services associated with the Erie County Sewer District No. 6 – Flow Monitoring and I/I Quantification Project; and

WHEREAS, the completion of flow monitoring and I/I quantification will assist Erie County Sewer District No. 6 in making informed decisions relative to collection system work and regulatory requirements; and

WHEREAS, the project has been awarded a \$100,000 grant from the New York State Department of Environmental Conservation; and

WHEREAS, Erie County Sewer District No. 6 has adequate authorization in Bond Account C. 00064 to fund the local share of this project; and

WHEREAS, a review committee was established to evaluate all responses to the County's Request for Proposals for this project, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends Arcadis of New York, Inc. (Arcadis) to complete the requested consulting services; and

WHEREAS, the Division of Sewerage Management has determined that this proposed project is a Type II action in accordance with 6 NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT,

RESOLVED, that Arcadis be retained to perform professional services associated with the Erie County Sewer District No. 6 – Flow Monitoring and I/I Quantification Project for the Division of Sewerage Management; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Arcadis, 50 Fountain Plaza, Suite 600, Buffalo, New York 14202 for professional services associated with this project in an amount not to exceed \$178,000, subject to approval as to content by the Commissioner of the Department of Environment and Planning and approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the Director of Budget and the County Comptroller be authorized to increase estimated revenues and appropriations in Bond Account C.00064 for the \$100,000 grant from the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the costs associated with this project be allocated from Bond Account C.00064; and be it further

RESOLVED, that the Clerk of the Legislature shall send one (1) certified copy each to the County Executive, the Erie County Director of Budget and Management, the Erie County Comptroller, Kristen Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph Fiegl, P.E., Division of Sewerage Management.
(5-0)

5. COMM. 8E-17 (2017)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation and Forestry wishes to install a cricket field at Ellicott Creek Park; and

WHEREAS, the Department of Parks, Recreation and Forestry is finding it increasingly difficult to maintain athletic fields due to lack of staffing; and

WHEREAS, the India Association of Buffalo is willing to enter into an agreement with the County to take over some of the maintenance aspects of the cricket field, including, but not limited to, repairs and signage.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with India Association of Buffalo for the purpose of permitting the maintenance of the cricket field at Ellicott Creek Park; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry and Assistant County Attorney, Kristen Walder, of the Law Department.
(5-0)

TED B. MORTON
CHAIR

Item 43 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94

May 4, 2017

PUBLIC SAFETY COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT, EXCEPT LEGISLATORS DIXON & GRANT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 8E-26 (2017)

LOUGHRAN, GRANT, SAVAGE & BURKE: “Letter to Chair Mills Regarding Sheriff Appearing at Political Events in Uniform”
(Chair’s Motion)

2. COMM. 8E-25 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security through the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in federal assistance to continue the implementation of programs to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Erie County Legislature needs to authorize the County Executive to enter into a contract for \$11,000 with Evans Emergency Equipment, Inc. to conduct swift water training; and

WHEREAS, there is funding available in FY 15 Technical Rescue and Urban Search and Rescue Grant Program to cover the costs incurred for this training; and

WHEREAS, the contract will be managed by the Erie County Department of Homeland Security and Emergency Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with Evans Emergency Equipment, Inc. to conduct swift water training in the amount of \$11,000 from available funds in grant HS167TECHRESCUE1517, fund 281, professional services account 516020; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State and Federal approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(4-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 44 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95

RE: Honoring National Children's Day and
Raising Awareness in Erie County and
Nationally
(INTRO. 9-1)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
GRANT, MILLS, LORIGO, LOUGHRAN, MILLER-WILLIAMS,
SAVAGE, HARDWICK, RATH, BURKE, MORTON & DIXON

WHEREAS, the second Sunday in June each year is known as National Children's Day in the United States, a day to honor the many children in our lives and redirect our focus to them; and

WHEREAS, the holiday predates both Mother's and Father's Day, and reminds us of the various issues children deal with such as foster care, adoption, health care, crime protection, education, religious guidance, and family; and

WHEREAS, Children's Day first began on the second Sunday of June 1856 by Reverend Dr. Charles Leonard, D.D. at the First Universalist Church of Chelsea, Massachusetts as a day to baptize children. It was declared a national holiday by the Republic of Turkey in 1929 and has been celebrated since its inception, but is not recognized nationally here in the United States; and

WHEREAS, ensuring the tradition lived on here in our country, the Methodist Episcopal Church at the Methodist Conference of 1868 recommended that the second Sunday in June be annually observed as Children's Day. Following suit, the General Assembly of the Presbyterian Church in 1883 designated the second Sabbath in June as Children's Day as well; and

WHEREAS, the Federal Government began taking notice of the holiday in 1998, with President Bill Clinton proclaiming the day to be held on October 11, 1998 in response to a letter written by an eight-year-old girl inquiring if he would make a Children's Day to celebrate youth; and

WHEREAS, "National Child's Day" was then proclaimed by President George W. Bush as June 3, 2001, but in subsequent years, the event has been observed on the second Sunday of June or October 8th; and

WHEREAS, now more than ever, children need care and commitment from community leaders to ensure they grow up to be healthy and successful adults. Furthermore, it is necessary that churches, businesses, organizations, government, and the media work together to bring awareness to this day set aside to honor children and their associated causes; and

WHEREAS, it is noted that National Children's Day is a celebration of rich history and worthy of continued recognition and accolades and that this Honorable Body proclaims its support for this special day of awareness to children of this nation and particularly, the county of Erie and for

its purpose to forever endure. It has been recognized that most churches and organizations celebrate Children Day as the second Sunday in June.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body and Erie County join with other municipalities in celebrating and honoring Children's Day this year on June 11, 2017, and desire that a permanent annual day be recognized as the second Sunday in June in Erie County and established as such by the Federal Government; and be it further

RESOLVED, that this Body continue to raise awareness to all causes and issues affecting our youth and honor them for their achievements and the joy and happiness they bring to their families and our community; and be it further

RESOLVED, that certified copies of this resolution be sent to President Donald Trump, United States Senators Chuck Schumer and Kirsten Gillibrand, NYS Senator Timothy Kennedy, Assemblywoman Crystal Peoples-Stokes, Erie County Executive Mark Poloncarz, Buffalo Mayor Bryon W. Brown, Buffalo Common Council President Darius G. Pridgen, and any other party deemed necessary and proper.

Item 45 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 9-2 from LEGISLATORS LOUGHRAN, MILLER-WILLIAMS, GRANT & SAVAGE. Supporting the Office of National Drug Control Policy in the 2018 Budget and Beyond.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 46 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 8E-18. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 96

RE: Home Rule Request - Extension of
Additional 1% and .75% Sales tax
(COMM. 8E-18, 2017)

**EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX
ASSEMBLY**

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2017 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$273 million in the Erie County budget, and

WHEREAS, Assembly Bill No. A.7246 and Senate Bill No. S.5503, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2017 to November 30, 2019;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.7246 entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$273 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

**EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX
SENATE**

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2017 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$273 million in the Erie County budget, and

WHEREAS, Senate Bill No. S.5503 and Assembly Bill No.7246, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2017 to November 30, 2019;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S.5503, entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$273 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Senate and two copies to the New York State Assembly.

MR. LORIGO moved to approve the item. MS. MILLER-WILLIAMS seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 47 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-22 from LEGISLATOR MORTON. Re: Letter to Senior Services Commissioner Regarding Implementation of Policies Concerning Going Places Transportation Program

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 48 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-23 from CHAIR MILLS. Re: Letter to Clerk of the Legislature Calling a Public Hearing Regarding Appropriations for 2017 Road Repair Reserve Fund Projects

Received, filed and printed.

May 9, 2017
Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that I want to call a Public Hearing to hear comment on the appropriation of \$11,300,000 of Transfer Tax from the Erie County Road Repair Reserve Fund (budgeted 2017 revenue) for road and bridge repairs in 2017 and the appropriation of \$3,800,000 of prior year surplus Transfer Tax from the Erie County Road Repair Reserve Fund for road and bridge repairs in 2017.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 6:00 p.m. on Tuesday, May 23, 2017 in the Erie County Legislature Chambers, located on the 4th floor of Old County Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

Item 49 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-24 from the COUNTY EXECUTIVE. Re: ECC – Authorization to Enter Into Contract to Continue College-wide Rollout of the Early Warning System for At-Risk Students

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 50 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9D-4 from the DEPARTMENT OF BUDGET & MANAGEMENT. Re: Budget Monitoring Report for Period Ending Mar. 2017

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 51 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9D-5 from the CLERK OF THE LEGISLATURE. Re: Notice of Public Hearing Regarding Appropriations for 2017 Road Repair Reserve Fund Projects

Received and filed.

Item 52 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9M-10 from ERIE COMMUNITY COLLEGE. Re: 2017-2018 ECC Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 53 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 97

RE: Department of Health Medical
Examiner's Office - Authorization to

Contract with Forensic Pathologists Fee-
for-Services
(COMM. 9E-1)

WHEREAS, the Erie County Department of Health provides forensic medical services through the Office of the Medical Examiner; and

WHEREAS, the need for expert pathological skills is critical for the function of the medical examiner's office; and

WHEREAS, the Erie County Medical Examiner's office provides crucial support and determinations to the law enforcement community; and

WHEREAS, the Erie County Medical Examiner's Offices faces a critical staffing shortage due to unforeseen circumstances; and

WHEREAS, fee-for-service forensic pathology services are available to cover staffing shortages on an interim basis; and

WHEREAS, RFP#1707VF was issued on April 18, 2017 to solicit proposals for autopsy services; and

WHEREAS, experts in the Medical Examiner's office reviewed those proposals and determined the respondents were board-certified and highly qualified to provide autopsy services to Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Kia K. Newman M.D.; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Kristen Landi, M.D.; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Carolyn A. Kappen, M.D.; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Jeremy Stuelnagel, M.D.; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Michael J. Greenberg, M.D.; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Kristen Gilmore Roman, M.D.; and be it further

RESOLVED, that the following fee scheduled is adopted for these contracts

Full autopsy	Partial autopsy	External Examination	Overnight on call	Testimony
\$1,200	\$600	\$400	\$200	\$1,000

and be it further;

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Health Department Medical Examiner's Division
Fund Center 12740

<u>Expense</u>	Increase/(Decrease)
500000 Full Time - Salaries	\$ (52,309)
502000 Fringe Benefits	\$ (147,691)
516020 Professional Svcs Contracts & Fees	\$ 200,000
Total Expense	<u>\$ 0</u>

and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and to Dr. Gale R. Burstein, Commissioner of Health.

Item 54 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 98

RE: Declaration of Need for ECFS
Borrowing for 2017 EC New Money
Capital Bonds
(COMM. 9E-2)

DECLARATION OF NEED

I, Mark C. Poloncarz, County Executive of the County of Erie (the "County"), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the "Act"), and further pursuant to the Financing Agreement dated as of May 1, 2009 (the "Agreement"), as amended, between the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the "Authority") and the County, HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amount of the Financeable Costs hereby requested to be undertaken are set forth in Appendix I hereto, which Appendix I is incorporated herein as an integral part of this Declaration of Need.

2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and that such Financeable Costs could be financed by the County by the issuance of bonds or notes as of the date of this Declaration of Need, there being in effect with respect to the each capital project constituting such a Financeable Cost (i) findings or other proceedings meeting the requirements of the State Environmental Quality Review Act and (ii) all proceedings necessary under the County Charter and all other applicable State law necessary to authorize the appropriation and expenditure of County funds for such purpose.

3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would with the passage of time or otherwise give rise to any violation or contravention of the terms of this Declaration of Need, the

Agreement or any financial plan submitted to or approved by the Authority.

4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth above. In no event shall the amount of such financing in any fiscal year exceed the aggregate amount set forth in the Declarations of Need for such year, as they may be amended from time to time by an amended Declaration of Need.

5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, I have set my hand this ____ day of May, 2017.

Mark C. Poloncarz
County Executive
County of Erie

I hereby certify that the form and substance of this Declaration of Need have been duly approved by the Erie County Legislature.

Karen McCarthy
Clerk of the Erie County Legislature

2017 Capital Budget Project Descriptions

COUNTY DECLARATION OF NEED		
APPENDIX I		
General Projects		
PROJECT		AMOUNT
1	Rehabilitation of New Era Stadium/Capital Improvement Allowance Year 5 (Orchard Park)	\$1,888,227
2	Botanical Gardens Rehabilitation (Buffalo)	\$500,000
3	Buffalo Niagara Convention Center Rehabilitation (Buffalo)	\$1,250,000
4	Code and Environmental Compliance (Countywide)	\$1,000,000
5	Roof Replacement and Exterior Waterproofing (Countywide)	\$650,000
6	Mechanical, Electrical, Plumbing and Miscellaneous Improvements (Countywide)	\$1,000,000
7	Energy Conservation Implementation Initiative (Countywide)	\$250,000
8	Preservation of County Buildings and Facilities (Countywide)	\$500,000
9	Preservation of County Highway Facilities (Countywide)	\$500,000
10	Preservation of Roads Construction – Lake Avenue (Hamburg)	\$2,400,000
11	Preservation of Roads Construction – Goodrich Road (Clarence)	\$2,500,000
12	Preservation of Roads Design (Countywide)	\$500,000
13	Highway Vehicle and Equipment Replacement (Countywide)	\$2,000,000
14	Construction for Road Projects or Turn Back of Roads to Towns (Countywide)	\$750,000
15	Capital Right of Way (Countywide)	\$100,000
16	Federal Aid Projects Design – Pontiac Road Bridge (Evans)	\$100,000
17	Federal Aid Projects Construction – Tonawanda Rails to Trails Extension (City of Tonawanda)	\$513,000
18	Federal Aid Projects Construction – Mill Street Bridge over Cattaraugus Creek (Concord)	\$150,000
19	Federal Aid Projects Construction – Stony Road Bridge (Lancaster)	\$1,500,000
20	Federal Aid Projects Bridge Preservation Design (Countywide)	\$165,000
21	Federal Aid Projects Bridge Preservation Construction (Countywide)	\$195,000
22	Countywide Slope Stability Investigations (Countywide)	\$125,000
23	Road Slides Design (Countywide)	\$250,000
24	Road Slides Right of Way (Countywide)	\$150,000
25	Road Slides Construction – Belscher Road (Concord)	\$500,000
26	Preservation of Bridges and Culverts Construction – Rehabilitation of Flagged Bridges and Culverts (Countywide)	\$1,400,000
27	Preservation of Bridges and Culverts Construction – Mill Street Bridge Replacement (Concord)	\$400,000
28	Preservation of Bridges and Culverts Construction – Repair and Rehabilitation of Large Culverts (Countywide)	\$750,000
29	Preservation of Bridges and Culverts Design – Leydecker Road Bridge (West Seneca)	\$300,000
30	Preservation of Bridges and Culverts Design – Miscellaneous Culvert and Small Bridge Repairs (Countywide)	\$250,000
31	Preservation of Bridges and Culverts Design – Emergency as Directed Engineering Services (Countywide)	\$150,000
32	Preservation of Dams Design (Countywide)	\$250,000
33	Highway Safety Improvements (Countywide)	\$500,000
34	Highway Building Security (Countywide)	\$50,000
35	Highway Searchable Database (Countywide)	\$350,000
36	Replacement of Fleet Pool Vehicles (Countywide)	\$120,000
37	Purchase of Electric Vehicles and Charging Station (Countywide)	\$60,000
38	Countywide Parks Improvements (Countywide)	\$800,000

2017 Capital Budget Project Descriptions

General Projects		
PROJECT		AMOUNT
39	Shelter, Building and Comfort Station Replacement (Countywide)	\$350,000
40	Roads, Pathways and Parking Lot Repair (Countywide)	\$375,000
41	Procurement of Parks Vehicles and Equipment (Countywide)	\$300,000
42	Bethlehem Steel Redevelopment (Lackawanna)	\$1,250,000
43	Darwin Martin House Interior Restoration (Buffalo)	\$250,000
44	Buffalo History Museum Portico Restoration (Buffalo)	\$150,000
45	Medical Examiner Laboratory Automation Equipment Replacement (Countywide)	\$185,000
46	Medical Examiner Autopsy Cart Replacement (Countywide)	\$25,000
47	Replacement of Laboratory Equipment and Technology Upgrade – Public Health Laboratory (Buffalo)	\$235,000
48	Medical Mail Parking Lot Expansion (Buffalo)	\$50,000
49	Data Backup System Replacement (Countywide)	\$320,000
50	Server Replacement Project (Countywide)	\$225,000
51	Disaster Recovery System (Countywide and Out of County)	\$400,000
52	Improvements to Holding Center and Correctional Facility (Countywide)	\$350,000
53	Purchase of Replacement Vans (Countywide)	\$72,000
54	Purchase of Police Radio Equipment (Buffalo)	\$103,521
55	Mechanical, Electrical and Plumbing Improvements (Buffalo) - Buffalo and Erie County Public Library	\$325,000
56	Central Library Auditorium Rehabilitation and Asbestos Abatement (Buffalo) - Buffalo and Erie County Public Library	\$600,000
57	Mobile Technology Project (Countywide)	\$481,250
58	Renovation of Office Space (Buffalo)	\$1,342,500
59	Renovations to Secure Youth Detention Facility (Buffalo)	\$287,895
60	Equipment (Collegewide) - Erie Community College	\$1,800,000
61	Roof Replacement, Exterior Waterproofing and Masonry (Collegewide) - Erie Community College	\$1,000,000
62	Collegewide Sitework (Collegewide) - Erie Community College	\$650,000
63	Collegewide Infrastructure Improvements and Construction of South Campus Student Center (Collegewide) - Erie Community College	\$1,000,000
64	Code Compliance (Collegewide) - Erie Community College	\$375,000
65	Mechanical, Electrical, Plumbing and Miscellaneous Improvements (Collegewide) - Erie Community College	\$500,000
General Projects Total		\$37,818,393
Sewer Projects		
PROJECT		AMOUNT
66	EC Sewer District No. 1 Modification of Plans (2013)	\$290,250
67	EC Sewer District No. 4 Increase and Improvement of Facilities (2010)	\$216,750
68	EC Sewer District No. 6 Modification of Plans (2015)	\$186,700
Sewer Projects Total		\$693,700
Overall Total		\$38,512,093

FROM THE DISTRICT ATTORNEY

Item 55 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 99

RE: Gun Involved Violence Elimination (GIVE) Grant - Position Changes & Budget Revisions (COMM. 9E-3)

WHEREAS, the District Attorney through the NYS Division of Criminal Justice Service's (DCJS) Gun Involved Violence Elimination (GIVE) Grant provides needed services to the residents of Erie County; and

WHEREAS, the contract received from the NYS DCJS authorizes funding levels different from the adopted budget; and

WHEREAS, Section 2507(b) of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds necessary to effectuate the changes are available in the District Attorney's 2017 budget; and

NOW, THEREFORE, BE IT

RESOLVED, that effective May 1, 2017 and continuing into future grant years, a position of Assistant District Attorney V, position #51010733, be transferred from fund 281, cost center 1140050, grant 114GIVE1617, to fund 110, cost center 1140030 and a position of Assistant District Attorney VI, position #51007708 be transferred from fund 110, cost center 1140030 to fund 281, cost center 1140050, grant 114GIVE1617 (B100 #9303); and be it further

RESOLVED, that effective July 1, 2017, a position of Confidential Criminal Investigator X, position #1859, be transferred from fund 281, cost center 1140050, grant 114GIVE1718, to fund 110, cost center 1140030 and a position of Confidential Criminal Investigator–Task Force, Position #51013454 be transferred from fund 110, cost center 1140030 to fund 281, cost center 1140050, grant 114GIVE1718 (B100 #9304); and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the GIVE grant to comply with State approved funding levels, to be adjusted as follows:

Gun Involved Violence Elimination Grant
114GIVE1617
July 1, 2016– June 30, 2017

<u>ORIGINAL</u>	<u>INCREASE (DECREASE)</u>	<u>FINAL</u>
-----------------	--------------------------------	--------------

Appropriation

500000 Full Time Salaries	\$ 479,095	\$ 10,812	\$ 489,907
501000 Overtime	10,500	2,000	12,500
502000 Fringe Benefits	285,759	(10,812)	274,947
510100 Out of Area Travel	<u>2,500</u>	<u>(2,000)</u>	<u>500</u>
Total Appropriations	<u>\$ 777,854</u>	<u>\$ - 0 -</u>	<u>\$ 777,854</u>

Gun Involved Violence Elimination Grant
 114GIVE1718
 July 1, 2017– June 30, 2018

	<u>ORIGINAL</u>	<u>INCREASE (DECREASE)</u>	<u>FINAL</u>
<u>Revenue</u>			
409000 State Aid Revenue	\$ 680,939	\$ 34,641	\$ 715,580
479000 County Share Cont.	<u>92,994</u>	<u>- 0 -</u>	<u>92,994</u>
Total Revenue	<u>\$ 773,933</u>	<u>\$ 34,641</u>	<u>\$ 808,574</u>
<u>Appropriation</u>			
500000 Full Time Salaries	\$ 494,762	\$ 13,208	\$ 507,970
501000 Overtime	10,500	(1,500)	9,000
502000 Fringe Benefits	267,171	22,933	290,104
510100 Out of Area Travel	<u>1,500</u>	<u>- 0 -</u>	<u>1,500</u>
Total Appropriations	<u>\$ 773,933</u>	<u>\$ 34,641</u>	<u>\$ 808,574</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Personnel, Erie County Comptroller and the Director of Budget and Management.

Item 56 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

RE: Personnel Adjustment
 (COMM. 9E-4)

WHEREAS, the new District Attorney requires an additional experienced high level prosecutor in his administration; and

WHEREAS, Section 2507(b) of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget; and

WHEREAS, the funds necessary to effectuate this addition are available in the District Attorney’s 2017 appropriations through vacancy control in the office; and

NOW, THEREFORE, BE IT

RESOLVED, that effective June 1, 2017 one new position of Assistant District Attorney VI, JG17, is hereby authorized to be created in the District Attorney's Office, fund 110, cost center 1140030 (B-100 #9302); and be it further

RESOLVED, that the Director of Budget and Management and Commissioner of Personnel are hereby authorized to make the necessary budgetary and personnel adjustments to effectuate these changes; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Department of Personnel and the Director of Budget and Management.

FROM CHAIR MILLS

Item 57 – (COMM. 9E-5) 2017 Schedule of Legislative Sessions - Revised

Received, filed and printed.

To: Karen M. McCarthy, Clerk
From: John J. Mills, Chair
Date: April 27, 2017

2017 SCHEDULE OF LEGISLATIVE SESSIONS
(UPDATED APRIL 27, 2017 – REVISIONS IN BOLD)

JANUARY	JULY
5	13
26	27
FEBRUARY	AUGUST
9	Recess
23	
MARCH	SEPTEMBER
9	7
23	21
APRIL	OCTOBER
6	5
27	19
MAY	NOVEMBER
11	2
25	16

JUNE
8
22

DECEMBER
7 **Session**
Annual Budget Vote
19 Budget Override Meeting
(if necessary)
21

Item 58 – (COMM. 9E-6) 2017 Legislature Invocation and Pledge of Allegiance Schedule - Revised

Received, filed and printed.

To: Karen M. McCarthy, Clerk
From: John J. Mills, Chairman
Date: April 27, 2017

2017 LEGISLATURE INVOCATION AND PLEDGE OF ALLEGIANCE SCHEDULE
(Updated April 27, 2017)

JANUARY
5 Dixon and Hardwick
26 Savage and Grant

JULY
13 Miller-Williams and Grant
27 Savage and Burke

FEBRUARY
9 Miller-Williams and Burke
23 Loughran and Morton

AUGUST
Recess

MARCH
9 Mills and Lorigo
23 Grant and Dixon

SEPTEMBER
7 Loughran and Rath
21 Mills and Lorigo

APRIL
6 Morton and Savage
27 Burke and Rath

OCTOBER
5 Hardwick and Dixon
19 Grant and Savage

MAY
11 Hardwick and Miller-Williams
25 Lorigo and Loughran

NOVEMBER
2 Rath and Miller-Williams
16 Burke and Hardwick

JUNE
8 Dixon and Mills
22 Rath and Morton

DECEMBER
7 Lorigo and Loughran
19* *Budget Override Meeting (if necessary)*
21 Morton and Mills

FROM THE COUNTY EXECUTIVE

Item 59 – (COMM. 9E-7) Contract with the City of Buffalo for Buffalo History Museum Portico Restoration

Item 60 – (COMM. 9E-8) Darwin Martin House Interior Restoration, City of Buffalo

Item 61 – (COMM. 9E-9) Bethlehem Steel Shoreline Trail Project - Inter-municipal Agreements with City of Buffalo and Lackawanna - PIN 5761.04

Item 62 – (COMM. 9E-10) EC Rath Building - Entrance Security Improvements

Item 63 – (COMM. 9E-11) Contract for GIS Software & Technical Services

The above five items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 64 – (COMM. 9E-12) EC Sewer District Board of Managers Appointments

Item 65 – (COMM. 9E-13) EC Sewer District No. 3 - Contract No. 17-D Contract Close Out

Item 66 – (COMM. 9E-14) EC Sewer District No. 8 - Contract No. 15 Contract Close Out

Item 67 – (COMM. 9E-15) EC Sewer District No. 8 - Contract No. 16 Contract Close Out

Item 68 – (COMM. 9E-16) Appointments to the EC Fisheries Advisory Board

The above five items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 69 – (COMM. 9E-17) 2016 Year-End Budget Balancing Amendments and Designations

Item 70 – (COMM. 9E-18) Real Estate Transfer Tax Surplus Appropriation - Road Repair Reserve Funds

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 71 – (COMM. 9E-19) Department of Senior Services - Amend 163ECON1718 and 163CSE1718 Grant Budgets

Item 72 – (COMM. 9E-20) Department of Social Services Youth Bureau - 2017 Summer Primetime Funding

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 73 – (COMM. 9E-21) Department of Central Police Services - Gun Involved Violence Elimination (GIVE) Grant Position Addition

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 74 – (COMM. 9D-1) NYS DEC Documents Received

Received and filed.

FROM THE COUNTY ATTORNEY

Item 75 – (COMM. 9D-2) Erie County Charter Revised Pursuant to LL No. 1 (2017)

Received and filed.

FROM THE DEPARTMENT OF LAW

Item 76 – (COMM. 9D-3) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EC BAR ASSOCIATION

Item 77 – (COMM. 9M-1) Assigned Counsel Program - Quarterly Report

Received and filed.

FROM THE EC INDUSTRIAL DEVELOPMENT AGENCY

Item 78 – (COMM. 9M-2) 2016 Annual Audited Financial Statements and Management Letter, 2016 Investment Report & 2016 Public Authorities Report

Received and filed.

FROM THE TOWN OF COLDEN

Item 79 – (COMM. 9M-3) Town Resolution Regarding Request for Amendment to EC Tax Act of 1942 to Give Relief from the Excessive Penalty Schedule to the Taxpayers in the Towns of the Second Class, and Make the Same Penalty Schedule and Due Dates for All Town and County Taxes

Received and filed.

FROM THE TOWN OF CONCORD

Item 80 – (COMM. 9M-4) Town Resolution Regarding Request for Amendment to EC Tax Act of 1942 to Give Relief from the Excessive Penalty Schedule to the Taxpayers in the Towns of the Second Class, and Make the Same Penalty Schedule and Due Dates for All Town and County Taxes

Received and filed.

FROM ANTHONY N. DIINA

Item 81 – (COMM. 9M-5) Letter to Health Department Commissioner Regarding Opioid Epidemic

Received and filed.

FROM DAN GERNATT JR

Item 82 – (COMM. 9M-6) Letter to Chair Mills Regarding Condition of Bridges and Infrastructure in WNY

Item 83 – (COMM. 9M-7) Letter to Chair Mills Regarding Condition of Bridges and Infrastructure in WNY

The above two items were received and filed.

FROM AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO

Item 84 – (COMM. 9M-8) Letter Regarding Implementation of Frozen Health Insurance Contribution Rate for 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEADING AGE NY, LEADING AGE WNY, NYS HEALTH FACILITIES
ASSOCIATION, NYSHFA DISTRICT 10

Item 85 – (COMM. 9M-9) Letter in Opposition to LL Intro. 10-1 (2017)

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

ANNOUNCEMENTS

Item 86 – CHAIR MILLS announced the committee schedule for May 18, 2017 has been distributed.

Item 87 – CHAIR MILLS announced a public hearing is scheduled for May 23, 2017 regarding appropriations for 2017 Road Repair Reserve Fund projects.

Item 88 – CHAIR MILLS announced the next regularly scheduled legislative session is May 25, 2017.

MEMORIAL RESOLUTIONS

Item 89 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Laurence A. Levite and Frank L. Tarrant.

Item 90 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Margaret Mary Slisz and Robert J. Weise.

Item 91 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Gregory T. Miller.

Item 92 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of William H.C. Chapple III and Carol Simpson.

Item 93 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Jennifer S. Stege.

ADJOURNMENT

Item 94 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, May 25, 2017 at 2:00 p.m. Eastern Standard Time. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, May 25, 2017 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE